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LOS ANGELES COUNTY DISTRICT ATTORNEY'S OFFICE
BUREAU OF FRAUD AND CORRUPTION PROSECUTIONS
JUSTICE SYSTEM INTEGRITY DIVISION

JACKIE LACEY • District Attorney
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April 1, 2016

Captain Steven Katz
Homicide Bureau
Los Angeles County Sheriff's Department
1 Cupania Circle
Monterey Park, California 91755

Dear Captain Katz:

The Justice System Integrity Division of the Los Angeles County District Attorney's Office has completed its review of the November 7, 2014, fatal shooting of William Spargur by members of the Los Angeles County Sheriff's Department. Our detailed analysis of this incident is contained in the attached memorandum.

Very truly yours,

JACKIE LACEY
District Attorney

By

JAMES GARRISON
Head Deputy District Attorney
Justice System Integrity Division

c: Deputy [redacted] #[redacted]
Deputy Justin Auldridge, #[redacted]
Deputy Michael Suarez, #[redacted]

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MEMORANDUM

TO: CAPTAIN STEVEN KATZ
Homicide Bureau
Los Angeles County Sheriff's Department
1 Cupania Circle
Monterey Park, California 91755

FROM: JUSTICE SYSTEM INTEGRITY DIVISION
Los Angeles County District Attorney's Office

SUBJECT: Officer Involved Shooting of William Spargur
J.S.I.D. File #14-0693
L.A.S.D. File #014-16015-2617-013

DATE: April 1, 2016

The Justice System Integrity Division of the Los Angeles County District Attorney's Office has completed its review of the November 7, 2014, fatal shooting of William Spargur by Los Angeles County Sheriff Deputies [redacted], Justin Auldridge and Michael Suarez. It is our conclusion that the deputies acted in lawful self-defense and defense of others.

The District Attorney's Command Center was notified of the shooting on November 7, 2014, at approximately 6:29 a.m. The District Attorney Response Team responded and was given a briefing and a walk-through of the scene.

The following analysis is based on reports prepared by the Los Angeles County Sheriff's Department (LASD), submitted to this office by Detectives Francis Hardiman and [redacted] LASD, Homicide Bureau. The deputies provided voluntary statements which were considered as part of this analysis.

FACTUAL ANALYSIS

[redacted] met William Spargur in a United States Army Veterans support group on Facebook several years ago.[1] [redacted] and Spargur communicated frequently via telephone and Facebook. In the early morning hours of November 7, 2014 [redacted] and Spargur communicated via Facebook for several hours. Spargur repeatedly stated his intention of taking his own life while [redacted] attempted to dissuade him.

Shortly after 3:00 a.m., Spargur began texting [redacted]. Spargur stated that he was armed with a firearm loaded with only one round in the chamber. He gave [redacted] the telephone number to the Palmdale Sheriff's station and asked [redacted] to call them stating, "I will go out sui [sic] by cop." He also gave

[1] Spargur served in the United States Army from 1997 to 2005 and was a combat veteran. Spargur suffered from post-traumatic stress disorder and had received psychiatric treatment. In the week before his death, Spargur was laid off from his job and forced to move into his [redacted] home in the City of [redacted]

[redacted] his location. Spargur's last text to [redacted] said, "Last smoke. I am truly sorry but the birds are chirping."

[redacted] contacted the Palmdale Sheriff's station and informed them of Spargur's intentions. The call dispatched to deputies stated that there was a possible suicidal person on Rancho Vista Boulevard near Maestro Avenue in the City of Palmdale. The suicidal individual was a combat veteran and may be armed. The deputies were further advised that the individual claimed to be smoking his "last cigarette" and only had one round in his weapon. He intended to kill himself or have the police do it for him.

Uniformed deputies met several miles east of the location and formulated a tactical approach plan. The deputies then headed westbound on Rancho Vista Boulevard in search of Spargur. Deputy Michael Suarez, who was the passenger deputy in a patrol vehicle driven by Deputy Justin Auldridge, spotted Spargur on the south sidewalk just as Auldridge drove past him. Auldridge made a U-turn and parked their patrol car along the south curb line just west of Spargur. The car's headlights illuminated Spargur and Auldridge placed the driver's side spotlight onto him. Deputies [redacted] and Desiree Sanchez also made a U-turn after passing Spargur and stopped their patrol vehicle in the number two lane next to Auldridge and Suarez. Deputy Matthew Davis stopped his patrol car east of Spargur in the middle of the street and also trained his spotlight on him.

Spargur was seated on a low brick wall facing the roadway. He was hunched over and appeared to be texting on a cellular phone between his legs. The deputies exited their patrol cars. Suarez, Auldridge and Davis were armed with their service weapons and [redacted] armed himself with a department issued AR-15 rifle. Sanchez was armed with a Taser. Suarez yelled out, "Let me see your hands!" Spargur ignored him. Suarez again ordered Spargur to show his hands. Spargur stood up and turned toward the deputies while pulling a black semiautomatic firearm from his rear waistband. Suarez ordered Spargur to put the gun down as Spargur walked toward Suarez and Auldridge's vehicle. Spargur ignored the order and lifted the gun in the deputies' direction. Believing that Spargur was about to shoot Suarez and Auldridge, [redacted] fired several rounds from his AR-15 rifle. As [redacted] fired, Spargur fired one round into the air. Spargur continued to step toward Suarez and Auldridge with the firearm in his hand. Suarez and Auldridge fired their service weapons and [redacted] fired several more rounds from his rifle. Spargur fell to the sidewalk and the handgun landed in the street.[2] [redacted] and Davis approached Spargur and searched him while Suarez took possession of Spargur's handgun. The 9mm semiautomatic handgun and magazine were unloaded. Personnel from the Los Angeles County Fire Department responded to the location and pronounced Spargur dead at the scene. A subsequent autopsy ascribed Spargur's death to multiple gunshot wounds.

LEGAL ANALYSIS

The use of deadly force in self-defense or in defense of another is justifiable if the person claiming the right actually and reasonably believed the following: (1) that he or the person he was defending was in imminent danger of being killed or suffering great bodily injury; (2) that the immediate use of force

[2] Davis was wearing a body camera during the incident. The footage captured Spargur reaching his right arm to his waistband as he stands up from the wall. Spargur turns to his left and walks toward Suarez and Auldridge. At this time, Davis runs to the other side of his vehicle in order to move out of the line of fire. Spargur is no longer visible. Suarez can be heard yelling, "Put your gun down!" The sound of gunfire follows. Four seconds elapses between the time Spargur stands up from the wall and the first sound of gunfire. The gunfire lasts three seconds.

was necessary to defend against that danger; and (3) that he used no more force than was reasonably necessary to defend against that danger.
See, *CALCRIM No. 505.*

CONCLUSION

The evidence examined shows that William Spargur wanted to end his life. He expressed his intention of committing "suicide by cop" and set in motion events with the goal of provoking law enforcement into killing him. Spargur had an acquaintance contact the Sheriff's Department with his plan and provide them with his location. The responding deputies were aware that Spargur was a combat veteran and claimed to be armed with a loaded weapon. Spargur ignored Suarez' orders to show his hands and withdrew his handgun while advancing toward the deputies. He ignored Suarez' command to drop the gun and instead, swung the weapon toward the deputies and fired a round into the air at the same time that Deputy [redacted] fired at him in self-defense. As intended, Spargur's actions placed the deputies in fear for their lives, and the lives of their fellow deputies, and Deputies [redacted] Auldridge and Saurez responded with reasonable deadly force.

We conclude that Deputies [redacted] Auldridge and Suarez acted in lawful self-defense and defense of others when they used deadly force against William Spargur. We are therefore closing our file and will take no further action in this manner.